

AO 440 (Rev. 10/93) Summons in a Civil Action

## RETURN OF SERVICE

SERVICE OF: **SUMMONS, COMPLAINT, CIS, EXHIBITS**  
 EFFECTED (1) BY ME: **OUT OF STATE**  
 TITLE: **PROCESS SERVER**

DATE:

1/9/08  
 10:36 A.M.

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:

PENSON FINANCIAL SERVICES

Place where served:

Ms. High - 1700 Pacific Ave. Dallas Tx - Legal Dept.

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant:

Description of person accepting service:

SEX: F AGE: 35 HEIGHT: 5'8" WEIGHT: 120 SKIN: Cauc. HAIR: Brown OTHER: \_\_\_\_\_

☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

## STATEMENT OF SERVER

TRAVEL \$ \_\_\_\_\_

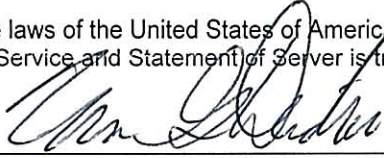
SERVICES \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

## DECLARATION OF SERVER

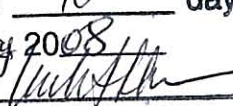
I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 1/9/2008

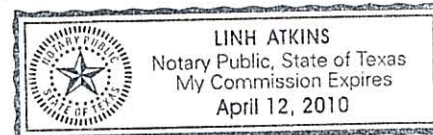
  
 L.S.  
 SIGNATURE OF OUT OF STATE  
 GUARANTEED SUBPOENA SERVICE, INC.  
 2009 MORRIS AVENUE  
 UNION, NJ 07083

SR


ATTORNEY: ALAN S. FELLHEIMER  
 PLAINTIFF: AXION POWER INTERNATIONAL, INC.  
 DEFENDANT: MERCATUS & PARTNERS, LTD.  
 VENUE: DISTRICT  
 DOCKET: 07 CV 11493

Witnessed this 10<sup>th</sup> day  
 of January 2008  


(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.



AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE <u>4/9/08</u> <u>10:36 A.M.</u>	
NAME OF SERVER (PRINT) <u>Tom G. Davidson</u>	TITLE <u>Process Server</u>	
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: <u>Penson Financial Services 1700 Pacific Ave Dallas</u>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>1/10/08</u> <u>Tom G. Davidson</u>  <small>Date Signature of Server</small></p> <p style="text-align: center;"><u>4956 Oak Bluff - Mesquite, Tx.</u>  <small>Address of Server</small></p>		
<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;"> <p>Witnessed this <u>10<sup>th</sup></u> day  of <u>Jan.</u>, 2008  <u>Lin Atkins</u> </p> </div> <div style="border: 1px solid black; padding: 5px; text-align: center;">  <p>LINH ATKINS  Notary Public, State of Texas  My Commission Expires  April 12, 2010</p> </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

AO 440 (Rev. 10/93) Summons in a Civil Action

## RETURN OF SERVICE

SERVICE OF: **SUMMONS, COMPLAINT, CIS, EXHIBITS**  
 EFFECTED (1) BY ME: **MALGORZATA SLADEK**  
 TITLE: **PROCESS SERVER**

DATE: 01/11/2008 12:50PM

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☐ Served personally upon the defendant:

BNP PARIBAS SECURITIES SERVICES

Place where served:

787 SEVENTH AVENUE NEW YORK NY 10019

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

TERESA DELACE

Relationship to defendant: MANAGING AGENT

Description of person accepting service:

SEX: F AGE: 36-50 HEIGHT: 5'9"-6'0" WEIGHT: 131-160 LBS. SKIN: WHITE HAIR: BLONDE OTHER: \_\_\_\_\_☒ To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

## STATEMENT OF SERVER

TRAVEL \$ \_\_\_\_\_

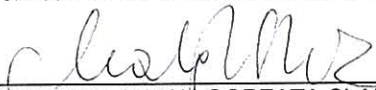
SERVICES \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

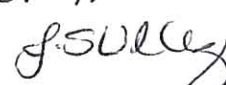
## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 01 / 11 / 20 08

 L.S.  
 SIGNATURE OF MALGORZATA SLADEK  
 GUARANTEED SUBPOENA SERVICE, INC.  
 2009 MORRIS AVENUE  
 UNION, NJ 07083

ATTORNEY: ALAN S. FELLHEIMER  
 PLAINTIFF: AXION POWER INTERNATIONAL, INC.  
 DEFENDANT: MERCATUS & PARTNERS, LTD.  
 VENUE: DISTRICT  
 DOCKET: 07 CV 11493

01-11-08  


JANIRA SANTIAGO VELEZ  
 NOTARY PUBLIC, NEW JERSEY  
 My Commission Expires 01/24/2012  
 JANIRA SANTIAGO VELEZ  
 NOTARY PUBLIC, NEW JERSEY  
 My Commission Expires 01/24/2012

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

SR



AO 440 (Rev. 10/93) Summons in a Civil Action

## RETURN OF SERVICE

SERVICE OF: SUMMONS, COMPLAINT, CIS, EXHIBITS  
 EFFECTED (1) BY ME: OUT OF STATE  
 TITLE: PROCESS SERVER ROBERT C. HILL

DATE: 01-08-08 6:55pm.

CHECK ONE BOX BELOW TO INDICATE APPROPRIATE METHOD OF SERVICE:

☒ Served personally upon the defendant:

DWIGHT PARSCALE

Place where served:

25920 STONE CANYON, SAN ANTONIO, TX 78260

[ ] Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left:

Relationship to defendant: SELF

Description of person accepting service:

SEX: M AGE: 60's HEIGHT: 5'9" WEIGHT: 225 lbs. SKIN: White HAIR: Gray OTHER: \_\_\_\_\_

[X] To the best of my knowledge, said person was not engaged in the U.S. Military at the time of service

## STATEMENT OF SERVER

TRAVEL \$ \_\_\_\_\_

SERVICES \$ \_\_\_\_\_

TOTAL \$ \_\_\_\_\_

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in this Return of Service and Statement of Server is true and correct.

DATE: 01 / 08 / 2008

Robert C. Hill L.S.  
 SIGNATURE OF OUT OF STATE  
 GUARANTEED SUBPOENA SERVICE, INC.  
 2009 MORRIS AVENUE  
 UNION, NJ 07083

## Non-Peace Officer Verification

Verification of return (if not served by peace officer)

sworn to this 8 day of January 2008.By: Robert Hill Server

ATTORNEY: ALAN S. FELLHEIMER  
 PLAINTIFF: AXION POWER INTERNATIONAL, INC.  
 DEFENDANT: MERCATUS & PARTNERS, LTD.  
 VENUE: DISTRICT  
 DOCKET: 07 CV 11493

Notary Public, State of Texas

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

